

Minutes of the Regular Meeting of The
New Jersey Maritime Pilot and Docking Commission

March 19, 2019

The regular meeting of the New Jersey Maritime Pilot and Docking Pilot Commission was held on Tuesday, March 19, 2019 at One Penn Plaza East, 9th Floor Board Room, Newark, NJ 07105.

Commissioner Dacey called the meeting to order at 10:05 AM.

Open Public Meeting Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (Via- teleconference); Commissioner Jacob Shisha (present);

Approval of the February 19, 2019 regular meeting minutes

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to approve the February 19, 2019 meeting minutes.

All voted in favor.

Resolution #19-07 to approve the March, 2019 Treasurers Report

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to pass Resolution #19-07 to approve the March, 2019 Treasurers Report.

All voted in favor.

Executive Director's Report

- A. Ms. Stuckey advised and led the Commission in a moment of silence for the passing of Captain Teague Murphy, retired Captain Arthur Biagi and maritime attorney William Losquadro.
- B. Retirement - Ms. Stuckey advised the Commission that after thirty years of service, Commissioner Carmine Ragucci has announced his retirement from the Board of Commissioners of Pilots of the State of New York.
- C. Governor's Budget Book - Ms. Stuckey provided a copy of the Commission's budget page that will be in the Governor's FY18 budget at a glance book. She advised the Commission that the budget carried over a surplus of about \$131,000 into FY19.
- D. FY18 Budget - The Commission's auditor expressed that he was having trouble with the Commission's expense line and could not get the numbers to add up. After discussion with DOT, Ms. Stuckey was advised that DOT made a mistake and omitted approximately \$91,000 in fringe benefits on the budget sheets. The corrected information was sent to the auditor and he is reworking the audit with the corrected numbers. Ms. Stuckey is anticipating that the audit will be finalized before the April, 2019 meeting.
- E. Pilot Testing - On March 15th, the Commission tested four pilots who applied for licenses in Atlantic City. The test consisted of a question and answer portion that was worth twenty points and a chartlet that was worth eighty points. Ms. Stuckey reported that each pilot performed well and none had errors on their chartlets. She was assisted in the grading by Chris Maglin the Director of Operations at Sandy Hook.
- F. Ms. Stuckey provided the Commission with a request for comment from the U.S. Coast Guard announcing a notice of study and request for comments on wind farms and port access. Ms. Stuckey will submit comments on behalf of the Commission. She advised Adam Sternbach to forward the notice to the appropriate person at the Governor's office for their comments.

- G. Annual Report - Ms. Stuckey is gathering information and updating the report as the information is received. She is also scheduled to go out on a ship visit with Russel Henschman who she chose for the highlight section this year, to be interviewed and get some action shots. Ms. Stuckey plans to have a draft to present to the Commission by May.
- H. Sandy Hook Monthly Training Report - Ms. Stuckey provided the Commission with a copy of the Sandy Hook Monthly Training Report along with a letter from Apprentice James Britton summarizing his experience at the Maritime Pilot's Institute. The next apprentice that is scheduled to attend is apprentice Robert Flannery in December. The Commission will visit his request once the FY20 budget is passed and approved.
- I. Harbor Ops - There will be a Harbor Ops Full Committee meeting on March 20th in Fort Wadsworth. Ms. Stuckey provided the Commission with a copy of the agenda and advised that she will attend the meeting and report back to the Commission.
- J. Articles of Interest - Ms. Stuckey provided the Commission with several articles of interest. There are a couple that talk about container volumes being at an all-time high. She advised that even though container volumes are high, traffic has had a slight decrease. The Commission will continue to monitor the numbers moving forward, as the Commission prepares the FY20 budget.

Public Comment (s)

Comments from Captain Brendan Foley, President, Sandy Hook Pilots Association:

Captain Foley reported that the Sandy Hook Pilots are close to finalizing a contract to purchase a new unit iPad system. The new units will be ran off satellite qualifications and will help pilots with accurate vision as well as rate of turn. He reported that they have also contracted a one day training program to get the pilots familiar with the new units.

Ms. Stuckey requested that when the Sandy Hook Pilots start to implement the new system, they bring one unit before the Commission for demonstration.

Comments from Captain Robert Flannery, Captain, Metro Pilots Association:

Captain Flannery reported that the LNG ship there were concerns about with Carnival Cruise Liner, their representatives met with Captain Tama. He reported that once he receives the update from that meeting, he will report back to the Commission.

Captain Flannery reported that the 50ft anchorage problem, the Army Corps suggested 15ft in Bay Ridge; but they will try to convince them to make it 25ft.

Comments from Ed Kelly, Executive Director, Maritime Association:

Mr. Kelly reported that there was a study done on non-designated anchorages. These anchorages are not protected. He reported that there is another study being done to get those anchorages designated for safety.

Mr. Kelly reported going to Washington, DC to attend a meeting with the Hydrographic Services Review Panel. He reported that there was a lot of discussions on recommendations to improve NOAA's navigation data, services and products.

Mr. Kelly reported that there will be a new navigation manager that will be assigned at the next Harbor Ops meeting. He reports that she will be the liaison between NOAA and the maritime community.

Committee Reports

- A. Capital Improvement Committee: Ms. Stuckey reported that there is a scheduled Capital Improvement meeting following the board meeting and advised that Commissioner Shisha will report back to the Commission after that meeting.
- B. Occurrence Investigation Committee:
 - 1. Qing Feng Ling - Discussed in Executive Session.

Resolution #19-08 to Approve the Adoption of Amendments to the Commissions Regulations

Ms. Stuckey reported that the Commission has not received any comments and the regulations were submitted to the Governor's office for final approval. Because the Commission did not receive any comments, the rules office advised the

Commission to add a paragraph in the notice of adoption; documenting all the avenues taken to publish the rules and insure that there was enough time given. Ms. Stuckey advised the Commission that the rules will not be authorized by the office of Administrative Law to be published until the veto period for the March meeting has expired. The Commission is looking at an anticipated effective date of May 6th or May 22nd depending on when the veto date expires.

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to pass Resolution #19-08 to Approve the Adoption of Amendments to the Commissions Regulations.

All voted in favor.

Resolution #19-09 to Approve the Issuance of Licenses on the Absecon Inlet to Captains: Salvador Rivas, Paul Torres, Kevin Walsh and Tom Walsh

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to pass Resolution #19-08 to Approve the Issuance of Licenses on the Absecon Inlet to Captains: Salvador Rivas, Paul Torres, Kevin Walsh and Tom Walsh.

All voted in favor.

Resolution #19-10 to amend Resolution #19-05 to appoint Luke Carrick into the Sandy Hook Pilots Association Apprentice Training Program

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to Approve Resolution #19-10 amending Resolution #19-05 to Approve the Appointment of Luke Carrick into the Sandy Hook Pilot's Association Apprentice Training Program.

All voted in favor.

Luke Carrick was issued a Certificate of Appointment by Commissioner Dacey.

Luke Carrick thanked the Commission and the Sandy Hook Pilots Association for the opportunity.

Executive Session

WHEREAS, the open Public Meetings Act provides that a public body such as The New Jersey Maritime Pilot and Docking Pilot Commission may meet in closed session to discuss legal and personnel matters, and

WHEREAS, the Commission desires to meet in closed session to discuss such matters.

NOW THEREFORE, be it resolved that the Commission shall at this time meet in closed session to discuss such matters the substance of the closed session would be disclosed publicly only if it would not warrant an invasion of privacy or constitute a breach of the attorney client privilege.

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing that the Commission goes into Executive Session.

All voted in favor.

The Commission went into Executive Session at 10:31 AM.

Return to Public Session

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing that the Commission return to Public Session.

All voted in favor.

The Commission returned to Public Session at 11:39 AM.

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing to approve the report and the recommendation to issue a Cautionary letter to the pilot.

All voted in favor.

Adjournment

A motion was made by Commissioner Shisha and seconded by Commissioner McEwing that the meeting be adjourned.

All voted in favor.

The meeting was adjourned at 11:40 AM.